

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

UNITED STATES OF AMERICA,)	CASE NO. 1:11CR070
)	
Plaintiff,)	
)	JUDGE DAVID D. DOWD JR.
-vs-)	
)	
)	<u>NOTICE OF GOVERNMENT'S USE OF</u>
MATTHEW J. HOLLAND,)	<u>404(b) EVIDENCE</u>
)	
Defendant.)	

The United States of America, through its counsel, Steven M. Dettelbach, United States Attorney for the Northern District of Ohio, and Phillip J. Tripi and Blas E. Serrano, Assistant U.S. Attorneys, gives notice pursuant to Fed. R. Evid. 404(b) to this Court and Defendant Matthew J. Holland, of its intent to introduce the following evidence during its case-in-chief. This evidence is admissible pursuant to the Federal Rules of Evidence, including Rule 404(b). Specifically, the government will present evidence relating to the following:

- Defendant Holland's false statements to Sergeant Shoulders and Detective Borden on the date of the arrest that Richard Persa was not in the apartment and that Defendant lived alone.

- The attempted bank robbery (not charged) on January 6, 2011 of Key Bank, located at 6300 Brookpark Road, Cleveland, Ohio.

The United States has already provided to Holland's defense counsel as part of discovery the FBI 302 report of Statement of Defendant, as well as the FBI 302 reports relating to the attempted bank robbery of Key Bank.

Respectfully submitted,

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UNITED STATES ATTORNEY

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CERTIFICATE OF SERVICE

I hereby certify that on this 22nd day of June, 2011, a copy of the foregoing Government's Notice of Use of 404(b) Evidence was filed electronically. Notice of this filing will be sent by operation of the Court's electronic filing system to all parties indicated on the electronic filing receipt. All other parties will be served by regular U.S. mail. Parties may access this filing through the Court's system.

/s/ Phillip J. Tripi
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Assistant U. S. Attorney

s/ Blas E. Serrano
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